

Declaration, Power Of Attorney and Petition

Page 1 of 3

WE (I) the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

DNA CODING FOR PROTEIN WHICH CONFERS ON BACTERIUM ESCHERICHIA COLI
RESISTANCE TO L-HOMOSERINE, AND METHOD FOR PRODUCING L-AMINO ACIDS

the specification of which

- ☒ is attached hereto.
- ☐ was filed on _____ as
Application Serial No. _____
and amended on _____.
- ☐ was filed as PCT international application
Number _____
on _____,
and was amended under PCT Article 19
on _____ (if applicable).

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

We (I) hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s)

| Application No. | Country | Day/Month/Year | Priority Claimed |
|-----------------|---------|----------------|---|
| 98118425 | Russia | 13/10/1998 | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | _____ | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | _____ | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | _____ | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |

We (I) hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

| | |
|-------------------------------|------------------------|
| _____ (Application Number) | _____ (Filing Date) |
| _____ (Application Number) | _____ (Filing Date) |

We (I) hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

| Application Serial No. | Filing Date | Status (pending, patented, abandoned) |
|------------------------|-------------|---------------------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

09927395-081301


BEST AVAILABLE COPY

And we (I) hereby appoint: Norman F. Oblon, Registration Number 24,618; Marvin J. Spivak, Registration Number 24,913; C. Irvin McClelland, Registration Number 21,124; Gregory J. Maier, Registration Number 25,599; Arthur I. Neustadt, Registration Number 24,854; Richard D. Kelly, Registration Number 27,757; James D. Hamilton, Registration Number 28,421; Eckhard H. Kuesters, Registration Number 28,870; Robert T. Pous, Registration Number 29,099; Charles L. Gholz, Registration Number 26,395; Vincent J. Sunderdick, Registration Number 29,004; William E. Beaumont, Registration Number 30,996; Steven B. Kelber, Registration Number 30,073; Robert F. Gnuse, Registration Number 27,295; Jean-Paul Lavalleye, Registration Number 31,451; Timothy R. Schwartz, Registration Number 32,171; Stephen G. Baxter, Registration Number 32,884; Martin M. Zoltick, Registration Number 35,745; Robert W. Hahl, Registration Number 33,893; Richard L. Treanor, Registration Number 36,379; Steven P. Weihrouch, Registration Number 32,829; John T. Goolkasian, Registration Number 26,142; Marc R. Labgold, Registration Number 34,651; William J. Healey, Registration Number 36,160; and Richard L. Chinn, Registration Number 34,305; our (my) attorneys, with full powers of substitution and revocation, to prosecute this application and to transact all business in the Patent Office connected therewith; and we (I) hereby request that all correspondence regarding this application be sent to the firm of OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C., whose Post Office Address is: Fourth Floor, 1755 Jefferson Davis Highway, Arlington, Virginia 22202.

We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Vitaly Arkadievich LIVSHITS
NAME OF FIRST SOLE INVENTOR

Residence: Moscow, Russia


Signature of Inventor Vitaly Arkadievich LIVSHITS

Citizen of: Russia

Post Office Address: c/o Institute of Genetics and Selection of Industrial Microorganisms (GNI[Genetika]), I. Dorozhny pr., I. 113543, Moscow, Russia

August 24, 1999
Date

Natalya Pavlovna ZAKATAEVA
NAME OF SECOND JOINT INVENTOR

Natalya
Signature of Inventor Natalya Pavlovna ZAKATAEVA

August 24, 1999
Date

Residence: Moscow, Russia

Citizen of: Russia

Post Office Address: c/o Institute of Genetics and
Selection of Industrial Microorganisms (GNIIGenetika),
1, Dorozhny pr., 1, 113545, Moscow, Russia

Vladimir Venyamiovich ALEOSHIN
NAME OF THIRD JOINT INVENTOR

Vladimir
Signature of Inventor Vladimir Venyamiovich ALEOSHIN

August 24, 1999
Date

Residence: Moscow, Russia

Citizen of: Russia

Post Office Address: c/o Institute of Genetics and
Selection of Industrial Microorganisms (GNIIGenetika),
1, Dorozhny pr., 1, 113545, Moscow, Russia

Alla Valentinovna BALAREOVA
NAME OF FOURTH JOINT INVENTOR

Alla
Signature of Inventor Alla Valentinovna BALAREOVA

August 24, 1999
Date

Residence: Moscow, Russia

Citizen of: Russia

Post Office Address: c/o Institute of Genetics and
Selection of Industrial Microorganisms (GNIIGenetika),
1, Dorozhny pr., 1, 113545, Moscow, Russia

Irina Lvovna TOKHMAKOVA
NAME OF FIFTH JOINT INVENTOR

Irina
Signature of Inventor Irina Lvovna TOKHMAKOVA

August 24, 1999
Date

Residence: Moscow, Russia

Citizen of: Russia

Post Office Address: c/o Institute of Genetics and
Selection of Industrial Microorganisms (GNIIGenetika),
1, Dorozhny pr., 1, 113545, Moscow, Russia

BEST AVAILABLE COPY

09927395-081301

Budapest treaty on the international
recognition of the deposit of microorganisms
for the purposes of patent procedure

To
State Scientific Centre of
Russian Federation
GNIIGENETIKA
Moscow 113545
1-st Dorozhny proezd 1 Russia
name and address
of depositor

INTERNATIONAL FORM
receipt in the case of an original deposit
issued pursuant to Rule 7.1 by the
INTERNATIONAL DEPOSITARY AUTHORITY
identified at the bottom of this page

I. IDENTIFICATION OF THE MICROORGANISM

Identification reference given by the
DEPOSITOR

Accession number given by the
INTERNATIONAL DEPOSITARY-
AUTHORITY:

Escherichia coli NZ10 (pAL4) (pRHTB)

VKPM B-7658

II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION

The microorganism identified under I above was accompanied by:

☒ a scientific description

Producer of homoserine

☐ a proposed taxonomic designation
(Mark with a cross where applicable)

III. RECEIPT AND ACCEPTANCE

This International Depositary Authority accepts the microorganism identified under I above,
which was received by it on 06.10.1998 (date of original deposit)

IV. RECEIPT OF REQUEST FOR CONVERSION

The microorganism identified under I above was received by this International Depositary
Authority
on (date of original deposit) and a request to convert
the
original deposit to a deposit under the Budapest Treaty was received by it on
(date of receipt of request for conversion)

V. INTERNATIONAL DEPOSITARY AUTHORITY

Name: Russian National Collection
of Industrial Microorganisms (VKPM)
Depositary
GNIIGenetika
Address: Russia 113545 Moscow
1 Dorozhny proezd 1

Signature (s) of person(s) having the
power to represent the International

Authority or authorized official(s):

Date: Sinegky S.P.

I Where Rule 6.4(d) applies, such date is the date on which the status of international
depositary authority was acquired

09927395-081301

BEST AVAILABLE COPY

Budapest treaty on the international
recognition of the deposit of microorganisms
for the purposes of patent procedure

To
State Scientific Centre of
Russian Federation
GNIIGENETIKA
Moscow 113545
1-st Dorozhny proezd 1 Russia
name and address
of depositor

INTERNATIONAL FORM
receipt in the case of an original deposit
issued pursuant to Rule 7.1 by the
INTERNATIONAL DEPOSITARY AUTHORITY
identified at the bottom of this page

I. IDENTIFICATION OF THE MICROORGANISM

Identification reference given by the
DEPOSITORAccession number given by the
INTERNATIONAL DEPOSITARY-
AUTHORITY:

Escherichia coli MG442 (pRHTB)

VKPM B-7659

II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION

The microorganism identified under I above was accompanied by:

☒ a scientific description

Producer of alanine, valine, isoleucine

☐ a proposed taxonomic designation
(Mark with a cross where applicable)

III. RECEIPT AND ACCEPTANCE

This International Depositary Authority accepts the microorganism identified under I above,

I

which was received by it on 06.10.1998

(date of original deposit)

IV. RECEIPT OF REQUEST FOR CONVERSION

The microorganism identified under I above was received by this International Depositary
Authority

on

(date of original deposit) and a request to convert

the

original deposit to a deposit under the Budapest Treaty was received by it on

(date of receipt of request for conversion)

V. INTERNATIONAL DEPOSITARY AUTHORITY

Name: Russian National Collection
of Industrial Microorganisms (VKPM)
Depositary

GNIIGenetika

Address: Russia 113545 Moscow

1 Dorozhny proezd 1

Signature (s) of person(s) having the
power to represent the International

Authority or authorized official(s):

Date: Sineoky S.P.

I Where Rule 6.4(d) applies, such date is the date on which the status of international
depositary authority was acquired

09927395 "08.13.01

BEST AVAILABLE COPY

Budapest treaty on the international
recognition of the deposit of microorganisms
for the purposes of patent procedure

To
State Scientific Centre of
Russian Federation
GNIIGENETIKA
Moscow 113545
1-st Dorozhny proezd 1 Russia
name and address
of depositor

INTERNATIONAL FORM
receipt in the case of an original deposit
issued pursuant to Rule 7.1 by the
INTERNATIONAL DEPOSITARY AUTHORITY
identified at the bottom of this page

I. IDENTIFICATION OF THE MICROORGANISM

| | |
|--|--|
| Identification reference given by the DEPOSITOR | Accession number given by the INTERNATIONAL DEPOSITARY- AUTHORITY: |
| Escherichia coli MG442 (vic40) (pRHTB) | VKPM B-7660 |

II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION

The microorganism identified under I above was accompanied by:

☒ a scientific description Producer of threonine

☐ a proposed taxonomic designation
(Mark with a cross where applicable)

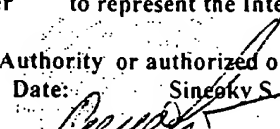
III. RECEIPT AND ACCEPTANCE

This International Depositary Authority accepts the microorganism identified under I above,
1 which was received by it on 06.10.1998 (date of original deposit)

IV. RECEIPT OF REQUEST FOR CONVERSION

The microorganism identified under I above was received by this International Depositary
Authority
on (date of original deposit) and a request to convert
the
original deposit to a deposit under the Budapest Treaty was received by it on
(date of receipt of request for conversion)

V. INTERNATIONAL DEPOSITARY AUTHORITY

| | |
|--|--|
| Name: Russian National Collection of Industrial Microorganisms (VKPM) Depositary GNIIGenetika Address: Russia 113545 Moscow 1 Dorozhny proezd 1 | Signature (s) of person(s) having the power to represent the International Authority or authorized official(s): Date:  Sincokv S.P. |
|--|--|

1 Where Rule 6.4(d) applies, such date is the date on which the status of international
depositary authority was acquired

09927395-081301

BEST AVAILABLE COPY